HERCULES

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January 16, 2006

Ms. Diane Sheridan
U.S. Environmental Protection Agency
EPA-East
Mail Code 7405M
1200 Pennsylvania Avenue, N.W
Washington, DC 20460

Dear Ms. Sheridan,

This letter is in response to a letter which I received some months ago from Mr. Jim Willis regarding our request to withdraw acid chlorides, tallow, hydrogenated, CASRN 68955-37-3 from the original HPV list. We have been in communication with EPA on this issue since 2Q04 and I apologize for the long delays in response.

Mr. Willis' letter to me is enclosed as Attachment A. I will answer each of his questions below in the order given on his letter.

1. The fatty acid chloride (FAC) is transferred from the reaction vessel via a vacuum siphon pump. It is an electro-mechanically driven process that permits separate of the top organic layer from the bottom aqueous layer in the reactor. There is no manual interaction or human exposure during this step. All materials remain in contiguous equipment.

2. The manufacturing and transfer processes all occur within enclosed contiguous equipment. The reactor vessels are connected via piping lines and the transfer is driven via pumps that are activated from a control room. There are no human exposures during this step.

3. Regarding hydrogenation: Hercules does not do the hydrogenation. The hydrogenated fatty acid is purchased as a raw material.

4. Regarding earlier 19989 and 2002 IUR reports: we questioned in 1998 (and before) whether the FAC was an isolated intermediate as defined under TSCA. At that time, the manufacturing process involved a longer holding time, presumably to effect better aqueous organic layer separation. It was thought that this might be considered as holding or storing the intermediate material. Being unclear, a conservative judgement was made to report the material as an isolated intermediate. The process has been improved since that time, as well as our understanding of the process such that we no longer feel this is an isolated intermediate from a TSCA perspective. The FAC is indeed an intermediate, but it is an in-process intermediate that is neither isolated nor removed from contiguous equipment in that process. It is transferred from the first reactor through a continuous process cleaner into a temporary hold tank until the full FAC batch has been cleaned. The cleaned FAC is then pumped into the second reactor where the final product, an alkyl ketene dimer, is manufactured. The residency time for the FAC in the temporary hold tank is <3 hours. The entire mfg process is less that one 8-hr shift. Based on the process changes and better understanding of the process timing, we have judged that this FAC under the current process is not an isolated intermediate by TSCA definition.

I trust this has sufficiently answered your questions. Please contact me if you need any additional information.

Sincerely,

G. L. McCallister
Director, Regulatory Affairs
Phone: (302) 995-3406
Fax: (302) 995-3445 FAX

GLM:clj
Attachment

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAY 24 2005

OFFICE OF
PREVENTION, PESTICIDES AND
TOXIC SUBSTANCES

Mr. G. L. McCallister
Director, Regulatory Affairs
Hercules Incorporated
Research Center
500 Hercules Road
Wilmington, Delaware 19808-1599

Dear Mr. McCallister:

Thank you for your letter of January 18, 2005 to Karen Hoffman at the U.S. Environmental Protection Agency (EPA) regarding EPA's High Production Volume (HPV) Challenge Program.

Your letter advises EPA that Hercules is withdrawing sponsorship of acid chlorides, tallow, hydrogenated (CAS No. 68955-37-3) based on the fact that it was incorrectly identified as an isolated intermediate. Further, your letter states that this misidentification is sufficient to delete the chemical from the HPV Challenge Program, and cites that testing of this material would be moot and unnecessary given the health or environmental fate of this type of chemical. EPA has reviewed the supporting documentation that Hercules provided. Before a final determination can be made, additional information/clarification on the manufacturing process is needed as follows:

1. In Attachment 3, a detailed explanation on how the Fatty Acid Chloride (FAC) intermediate is transferred to the "holding tank." Is this a mechanical, gravitational or manual process?

2. Are the manufacturing and transfer processes enclosed at all times with respect to the FAC intermediate?

3. The intermediate is identified as a hydrogenated substance, but the hydrogenation process is omitted in the discussion in Attachment 3. At which point is the hydrogenation performed?

4. Why did the company report for this substance under the Inventory Update Rule (IUR) in 1998 and 2002? Was any amount of this substance ever sold or was it all consumed on site?

Please submit the additional information requested to Diane Sheridan, U.S. Environmental Protection Agency, EPA East - Mail Code 7405M, 1200 Pennsylvania Avenue, N.W., Washington, DC 20460, or (sheridan.diane@epa.gov) . The Agency will review the requested information and respond accordingly.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-8176. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website (www.epa.gov/chemrtk) comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via email at tsca-hotline@epa.gov.

Sincerely,

Jim Willis, Director
Chemical Control Division

cc: AR-201